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PATENT
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TOWNSEND and TOWNSEND and CREW LLP

By: /Dianna L. Smith/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael J. Hafer, et al.

Application No.: 10/687,575

Filed: October 15, 2003

For: MONEY TRANSFER
CONVENIENCE CARD, SYSTEMS
AND METHODS

Confirmation No. 7753

Examiner: Lalita M. Hamilton

Technology Center/Art Unit: 3691

**APPELLANTS' BRIEF UNDER
37 CFR §41.37**

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Further to the Notice of Appeal mailed on August 10, 2009, for the above-referenced application, Appellants submit this Brief on Appeal.

1. Real Party In Interest

The Western Union Company, of Englewood, Colorado, is the real party in interest as the assignee of the above-identified application.

2. Related Appeals And Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

3. Status Of Claims

Claims 1-20 and 22-51 are currently pending in the application. All pending claims stand finally rejected pursuant to a final Office Action mailed June 9, 2009 (the "Final Office Action"). A copy of the claims as rejected is attached hereto in the Claims Appendix.

Claims 23-29 stand rejected under 35 U.S.C. § 101 as being directed to a card.

This rejection is the subject of the appeal.

Claims 30-47 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. **This rejection is the subject of the appeal.**

Claims 1-20 and 22-51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099607 A1 to Sosa et al. ("Sosa") in view of U.S. Patent No. 6,690,779 B2 to Walker et al. ("Walker"), and U.S. Patent No. 7,287,009 B1 to Liebermann ("Liebermann"). **This rejection is the subject of the appeal.**

Claim 21 was previously canceled.

4. Status Of Amendments

No amendments have been entered subsequent to the Final Office Action. This Appeal Brief is filed in response to the Final Office Action.

5. Summary Of Claimed Subject Matter

In the following summary, the Appellants have provided exemplary references to sections of the specification and drawings supporting the subject matter defined in the claims as required by 37 C.F.R. § 41.37. The specification and drawings also include additional support for other exemplary embodiments encompassed by the claimed subject matter. Thus, it should be appreciated that the references are intended to be illustrative in nature only.

In claim 1, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account associated with a convenience card, a system for enhancing

customer loyalty in money transfer transactions is described. *Application*, p. 2, ll., 16-20. The system includes a communication network, the communication network being configured to transport information relating to the money transfer services provided by the transaction provider. *Id.*, at p. 4, ll. 5-7. The system includes a point of sale device in communication with the communication network. *Id.*, at p. 4, ll. 4-7. The point of sale device is located at a particular origination location and configured to: receive an identifier, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The point of sale device is also configured to receive a request from the customer to process a money transfer transaction to a particular destination location. *Id.*, at p. 2, ll. 31, 32. The point-of-sale device is also configured to transmit the identifier and the request to process a money transfer transaction. *Id.*, at p. 4, ll. 5-7. The system includes a transaction provider control in communication with the communication network and further in communication with a service provider. *Id.*, at p. 4, ll. 5-7. The transaction provider control is configured to receive the identifier and the request to process a money transfer transaction from the point of sale device. *Id.*, at p. 11, l. 25 – p. 12, l. 13. The transaction provider control is configured to identify the customer's account based on the identifying information included in the identifier. *Id.*, at p. 3, ll. 2-5. Also, the transaction provider control is configured to return to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction. *Id.*, at p. 30, ll. 17-32. Also, the transaction provider control is configured to credit the customer's account with an award associated with the request to process a money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from the service provider. *Id.*, at p. 3, ll. 2-7.

In claim 20, a system for enhancing customer loyalty in money transfer transactions is described. *Id.*, at p. 2, ll. 29, 30. The system includes a transaction provider control in communication with a third-party service provider. *Id.*, at p. 2, ll., 16-20. The system includes a point of sale device in communication with the transaction provider control. *Id.*, at p.

4, ll. 4-7; FIG. 1A. The point of sale device comprises a processor and a storage medium. *Id.*, at p. 4, ll. 23, 24. The storage medium includes instructions executable by the processor to receive an identifier associated with a convenience card, wherein the convenience card is associated with an account at the service provider. *Id.*, at p. 2, ll. 30-32. The storage medium also includes instructions to receive a request for a money transfer transaction. *Id.* The storage medium also includes instructions to transmit the money transfer transaction request to the transaction provider control for execution. *Id.*, at p. 27, ll. 4-7. The transaction provider control comprises a second processor and a second storage medium. *Id.*, at p. 4, ll. 23, 24. The second storage medium includes instructions executable by the second processor to receive a money transfer transaction request from the point of sale device. *Id.*, at p. 27, l. 17. The second storage medium also includes instructions executable to receive the identifier from the point of sale device. *Id.*, at p. 3, ll. 24-30. The second storage medium also includes instructions executable to associate the money transfer transaction with the identifier. *Id.*, at p. 3, ll. 24-30. The second storage medium also includes instructions executable to return to the point of sale device stored transaction information identifying prior money transfer recipients associated with the identifier for use by the point of sale device to automatically prepare a transaction form associated with the request for the money transfer transaction. *Id.*, at p. 30, ll. 17-32. The second storage medium also includes instructions executable to transmit a request to the third-party service provider to add credit to the service provider account associated with the convenience card, wherein the credit is based at least in part on the money transfer transaction. *Id.*, at p. 21, ll. 20-33; p. 26, ll. 3-7.

In claim 23, a money transfer convenience card that can be used to facilitate a money transfer transaction through a transaction provider is described. *Application*, p. 2, ll., 16-20. The money transfer convenience card is associated with an account, such that when the money transfer convenience card is used to facilitate a money transfer transaction through the transaction provider. *Id.* An award is credited to the account associated with the convenience card, the award being redeemable toward the purchase of a product from a service provider and being based at least in part on the money transfer transaction. *Id.*, at p. 3, ll. 2-7. The money transfer convenience card has stored thereon a list of recent money transfer transactions usable to

initiate a subsequent money transfer transaction to a recipient identified in the list of recent money transfer transactions. *Id.*, at p. 13, ll. 8-13.

In claim 30, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a method for enhancing customer loyalty in money transfer transactions is described. *Application*, p. 2, ll., 16-20. The method includes receiving a request from a customer to process a money transfer transaction. *Id.*, at p. 2, ll. 30-32. The money transfer transaction has a certain origination location and a certain destination location. *Id.* The method includes receiving an identifier, the identifier including sufficient identifying information to allow the customer's account to be identified. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The method includes identifying the customer's account based on the identifying information included in the identifier. *Id.*, at p. 2, l. 32 – p. 3, l. 7. The method includes using stored transaction information identifying prior money transfer recipients of the customer obtained from the customer's account to automatically prepare a transaction form associated with the request to process the money transfer transaction. *Id.*, at p. 30, ll. 17-32. The method includes visually displaying the transaction form. *Id.*, at p. 29, ll. 27-29. The method includes crediting an account with an award based at least in part upon the requested money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from a service provider. *Id.*, at p. 3, ll. 2-7.

In claim 47, a method for enhancing customer loyalty in money transfer transactions is described. *Id.*, at p. 4, ll. 19, 20. The method includes receiving an identifier associated with a money-transfer convenience card. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The money-transfer convenience card is associated with an account at a third-party service provider. *Id.*, at p. 3, ll. 24-30. The method also includes using the identifier to obtain stored transaction information identifying prior money transfer recipients associated with the money-transfer convenience card. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The method also includes automatically preparing a transaction form for a money transfer transaction using at least a portion of the stored information. *Id.*, at p. 30, ll. 17-32. The method also includes visually displaying the transaction

form. *Id.*, at p. 30, ll. 17-32. The method also includes processing the money transfer transaction. *Id.*, at p. 2 ll. 30, 31. The method also includes associating the money transfer transaction with the identifier. *Id.*, at p. 3, ll. 25-27. The method also includes adding credit to the account at the third-party service provider, wherein the credit is based at least in part on the money transfer transaction. *Id.*, at p. 3, ll. 5-7.

In claim 48, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a method for enhancing customer loyalty in money transfer transactions is described. *Application*, p. 2, ll., 16-20. The method includes receiving at a point of sale device an identifier from a convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account, the point of sale device being situated at a particular origination location. *Id.*, at p. 2, l. 30 – p. 3, l. 2.; p. 4, ll. 2, 3. The method includes receiving at the point of sale device a request from the customer to process a money transfer transaction to a particular destination location. *Id.*, at p. 4, ll. 3-5. The method includes transmitting via a communication network the identifier and the request to process a money transfer transaction. *Id.*, at p. 4, ll. 4-7. The method includes receiving at a transaction provider control the identifier and the request to process a money transfer transaction. *Id.*, at p. 4, ll. 5-8. The method includes identifying the customer's account based on the identifying information included in the identifier. *Id.*, at p. 4, ll. 7, 8. The method includes returning to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction. *Id.*, at p. 30, ll. 17-32. The method includes calculating an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money transfer transaction to the destination location. *Id.*, at p. 11, ll. 21-24; p. 22, ll. 22-32. The method includes crediting the

customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction. *Id.*

In claim 49, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions is described. *Application*, p. 2, ll., 16-20. The system includes a communication network, the communication network being configured to transport information relating to the money transfer services being provided by the transaction provider. *Id.*, at p. 4, ll. 5-7. The system includes means for receiving an identifier from the convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account with the transaction provider, the means for receiving an identifier from the convenience card being situated at a particular origination location. *Id.*, at p. 2, l. 30 – p. 3, l. 2.; p. 4, ll. 2, 3. The system includes means for receiving a request from the customer to process a money transfer transaction to a particular destination location. *Id.*, at p. 2, ll. 31, 32. The system includes means for transmitting via the communication network the identifier and the request to process a money transfer transaction. *Id.*, at p. 4, ll. 5-8. The system includes means for receiving via the communication network the identifier and the request to process a money transfer transaction. *Id.* The system includes means for identifying the customer's account based on the identifying information included in the identifier. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The system includes means for returning to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction. *Id.*, at p. 30, ll. 17-32. The system includes means for calculating an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money

transfer transaction to the destination location. *Id.*, at p. 11, ll. 21-24; p. 22, ll. 22-32. The system includes means for crediting the customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction. *Id.*

In claim 50, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions is described. *Application*, p. 2, ll., 16-20. The system includes a communication interface. *Id.*, at p. 4, ll. 5-7. The system includes a processor in communication with the communication interface. *Id.*, at p.4, ll. 23, 24. The system includes a computer readable medium in communication with the processor. *Id.*, at p.4, ll. 23, 24. The computer readable medium comprises instructions executable by the processor to receive an identifier associated with an account. *Id.*, at p. 2, l. 30 – p. 3, l. 2.; p. 4, ll. 2, 3. The computer readable medium further comprises instructions to receive a request to process a money transfer transaction. *Id.*, at p. 2 ll. 30, 31. The computer readable medium further comprises instructions to use the identifier to obtain stored transaction information identifying prior money transfer recipients associated with the convenience card. *Id.*, at p. 3, ll. 2-5; p. 6, l. 26 – p. 7, l. 13. The computer readable medium further comprises instructions to automatically prepare a transaction form for a money transfer transaction using at least a portion of the stored information. *Id.*, at p. 30, ll. 17-32. The computer readable medium further comprises instructions to process the money transfer transaction. *Id.*, at p. 4, ll. 4-7. The computer readable medium further comprises instructions to credit the account with an award based at least in part upon the requested money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from a service provider. *Id.*, at p. 3, ll. 2-7.

In claim 51, in a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions is described. *Application*, p. 2, ll.,

16-20. The system includes a communication interface. *Id.*, at p. 4, ll. 5-7. The system includes a processor in communication with the communication interface. *Id.*, at p.4, ll. 23, 24. The system includes a computer readable medium in communication with the processor. *Id.*, at p.4, ll. 23, 24. The computer readable medium comprises instructions executable by the processor to receive from a point of sale device an identifier associated with a convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The computer readable medium further comprises instructions to receive from a point of sale device a request from the customer to process a money transfer transaction from a particular origination location to a particular destination location. *Id.*, at p. 2, l. 30 – p. 3, l. 2.; p. 4, ll. 2, 3. The computer readable medium further comprises instructions to identify the customer's account based on the identifying information included in the identifier. *Id.*, at p. 2, l. 30 – p. 3, l. 2. The computer readable medium further comprises instructions to return to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction. *Id.*, at p. 30, ll. 17-32. The computer readable medium further comprises instructions to calculate an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money transfer transaction to the destination location. *Id.*, at p. 11, ll. 21-24; p. 22, ll. 22-32. The computer readable medium further comprises instructions to credit the customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction. *Id.*

6. Grounds Of Rejection To Be Reviewed On Appeal

Issue 1: Whether claims 23-29 were properly rejected under 35 U.S.C. § 101 as being directed to a card.

Issue 2: Whether claims 30-47 were properly rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Issue 3: Whether claims 1-20 and 22-51 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0099607 A1 to Sosa et al. ("Sosa") in view of U.S. Patent No. 6,690,779 B2 to Walker et al. ("Walker"), and U.S. Patent No. 7,287,009 B1 to Liebermann ("Liebermann").

7. Argument

Issue 1: Whether claims 23-29 were properly rejected under 35 U.S.C. § 101 as being directed to a card.

Claim 23 stands rejected as being directed to unpatentable subject matter under § 101. The Final Office Action alleges: "The Applicant argues that the convenience card has embedded instructions; however, the instructions embedded within the card are not carried out utilizing a computer." *Final Office Action*, p. 2. This statement: 1) mischaracterizes the Applicant's argument; and 2) incorrectly states the relationship of the convenience card and its contents.

First, the Final Office Action incorrectly states that the Applicant previously argued that the convenience card has embedded instructions. This is the second time the Examiner has misconstrued the claim language as such. In the Amendment dated March 9, 2009, the Appellant stated in response to the non-final Office Action of December 8, 2008:

Regarding the rejections of claims 23-29, the Office Action acknowledges that the claim is directed to a convenience card, but states that the card has "no computer hardware to carry out the instructions embedded within the card." The Applicants are unable to locate authority for this rejection. Moreover, the wording of the rejection indicates a misreading of the claim because the wording appears to suggest that the claimed convenience card has embedded instructions.

Amendment of Mar. 9, 2009, p. 17, emphasis added.

Rather, claim 23, in pertinent part, recites: "A money transfer convenience card that can be used to facilitate a money transfer transaction through a transaction provider, . . . the

money transfer convenience card having stored thereon a list of recent money transfer transactions usable to initiate a subsequent money transfer transaction to a recipient identified in the list of recent money transfer transactions.” Emphasis added. These claim limitations appear to be the recitations the Final Office Action references in stating: “instructions embedded within the card.” *Final Office Action*, p. 2.

Second, regardless of the Final Office Action’s (and the December 8, 2008 Office Action’s) misinterpretation of the limitations of claim 23, the claim qualifies as patentable subject matter under §101. The claim clearly refers to a physical item (a money transfer convenience card) with a list (data structure) stored thereon. The MPEP states:

“[F]unctional descriptive material” consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of “data structure” is a “physical or logical relationship among data elements, designed to support specific data manipulation functions.”)

When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.

MPEP § 2106.01, internal citations omitted, emphasis added. The card of claim 23 clearly falls under this category. For at least these reasons, Appellant respectfully requests reversal of the §101 rejections of claim 23 and its associated dependent claims, 24-29.

Issue 2: Whether claims 30-47 were properly rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Claims 30-47 stand rejected as allegedly being directed to non-statutory subject matter under § 101. The Final Office Action alleges that these claims fail to qualify as patentable subject matter under the test set forth in the Federal Circuit’s *Bilski* decision. *In re Bilski*, 545 F.3d 943 (Fed. Cir. 2008), 88 U.S.P.Q.2d 1385. Again here, the Examiner failed to consider and/or address the Appellant’s arguments. This argument is presented here for the third time, in an attempt to have the Appellant’s argument addressed. *See, Amendment of Nov. 7, 2008; Amendment of Mar. 9, 2009.*

In the Amendment of March 9, 2009, the Appellant stated: “the Applicants previously cited *In re Bilski*, wherein the Court noted that ‘the electronic transformation of the data itself into a visual depiction in *Abele* was sufficient.’” *Amendment of Mar. 9, 2009*. As in the Office Action of December 8, 2008, the Final Office Action failed to address this argument.

For further clarity, Appellant provides the following more detailed remarks. In *Bilski*, the Federal Circuit stated:

[W]e held one of *Abele*'s dependent claims to be drawn to patent-eligible subject matter where it specified that “said data is X-ray attenuation data produced in a two dimensional field by a computed tomography scanner.” *Abele*, 684 F.2d at 908-09. This data clearly represented physical and tangible objects, namely the structure of bones, organs, and other body tissues. Thus, the transformation of that raw data into a particular visual depiction of a physical object on a display was sufficient to render that more narrowly-claimed process patent-eligible.

We further note for clarity that the electronic transformation of the data itself into a visual depiction in *Abele* was sufficient; the claim was not required to involve any transformation of the underlying physical object that the data represented. We believe this is faithful to the concern the Supreme Court articulated as the basis for the machine-or-transformation test, namely the prevention of pre-emption of fundamental principles. So long as the claimed process is limited to a practical application of a fundamental principle to transform specific data, and the claim is limited to a visual depiction that represents specific physical objects or substances, there is no danger that the scope of the claim would wholly pre-empt all uses of the principle.

Bilski, at 1397.

Claim 30 recites “visually displaying the transaction form.” This recitation appears to be within the bounds of the visual depiction of *Abele* discussed above. For at least this reason, Appellant respectfully requests reversal of the § 101 rejection of claim 30 and associated dependent claims 31-47.

Issue 3: Whether claims 1-20 and 22-51 were properly rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sosa* in view of *Walker* and *Liebermann*.

Claims 1-20 and 22-51 stand rejected as obvious over *Sosa* in view of *Walker*, and in further view of *Liebermann*. Factual findings made by the Office are the “necessary underpinnings to establish obviousness.” *MPEP* § 2141(II). The Office must set forth “the

relevant teachings of the prior art relied upon.” *MPEP* § 706.02(j). Additionally, in *KSR v. Teleflex* (550 U.S. 398 (2006)), the Supreme Court noted that the analysis supporting a rejection under 35 U.S.C. § 103 must be made explicit. *See MPEP* § 2142. As will be discussed below, Appellant respectfully submits that the Office did not establish a proper *prima facie* case of obviousness.

Claim 1 recites: “return to the point-of-sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point-of-sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction” The remaining pending independent claims contain a limitation similar to this. To teach, suggest, or otherwise prove obvious this limitation, the Final Office Action cites to *Sosa* and *Liebermann*:

Sosa discloses that the “USER2 519 may cut and paste the valid charge information 617 from the cash account system 107 into the merchant purchase page or may select an automatic population option offered by the cash account system 107 that automatically fills the valid charge information 617 into the purchase page upon indication by USER2 519. (para.62).” The automatic population feature may be used to populate forms with saved information. *Liebermann teaches identifying historical information pertaining to money transfer recipients*. The Examiner is interpreting the automatic population feature of *Sosa* as being capable of automatically population any type of information into the form, including historical information of money transfer recipients.

Final Office Action, p. 5, emphasis added. The “valid charge information 617” is specifically defined in *Sosa*: “The valid charge number ABC 602 and the valid expiration date 604 are collectively shown as valid charge information 617.” *Sosa*, ¶60.

The Final Office Action provides no citation for the above teaching of *Liebermann* (*See, Final Office Action*), and is apparently relying on the citations provided in the Office Action of December 8, 2008. The generalized citations provided by the December 8, 2008 Office Action are col. 11, l. 55 – col. 12, l. (not provided); col. 15, l. 59 – col. 17, l. 35. Such recitations, as best located by the Appellant, refer to a system to transfer funds. *Liebermann*, col. 11, ll. 55-57. However, *Lieberman* specifically requires that “[t]o initiate such a transaction, the customer accesses the FCT system and enters . . . the intended recipients’ FCT identification number, [and] the name of the person to whom the money is being transferred.”

Id., at col. 11, ll. 58-64, emphasis added. The recipient's name is not retrieved from prior transaction information. Further, similar information is not included in the valid charge information 617 of Sosa.

The Liebermann reference does disclose a "Transaction-In-Process (TIP) form." *Id.*, at col. 15, ll. 59, 60. This TIP form does contain historical information; however the recipient's name is neither listed, nor retrieved to be sent to a point-of-sale device. *See, id.*, at Table II, col. 16. Liebermann's entirely conventional storage of historical data, combined with Sosa's population of a form using a charge number and expiration date, does not teach, suggest, or otherwise prove obvious "[returning] to the point-of-sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point-of-sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction," as recited in claim 1 and similarly recited in the remaining independent claims. Emphasis added.

For at least these reasons, the independent claims are not taught, suggested, or otherwise proved obvious by the cited references. Accordingly, Appellant respectfully requests reversal of the §103 rejections of the independent claims and their associated dependent claims.

8. Conclusion

For these reasons, it is respectfully submitted that the rejection should be reversed.

Respectfully submitted,

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9. Claims Appendix

1. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions, the system comprising:

a communication network, the communication network being configured to transport information relating to the money transfer services provided by the transaction provider;

a point of sale device in communication with the communication network, the point of sale device being located at a particular origination location and configured to:

(a) receive an identifier, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account;

(b) receive a request from the customer to process a money transfer transaction to a particular destination location; and

(c) transmit the identifier and the request to process a money transfer transaction; and

a transaction provider control in communication with the communication network and further in communication with a service provider, the transaction provider control being configured to:

(a) receive the identifier and the request to process a money transfer transaction from the point of sale device;

(b) identify the customer's account based on the identifying information included in the identifier;

(c) return to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction; and

(d) credit the customer's account with an award associated with the request to process a money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from the service provider.

2. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the point of sale device is further configured to receive the identifier by reading the identifier from the convenience card as the convenience card is swiped through the point of sale device.

3. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the identifier is a telephone number.

4. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the service provider is a merchant, and wherein the product is a tangible good.

5. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the service provider is a telecommunication service provider, and wherein the product is a telecommunication service.

6. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 5, wherein the award credited to the customer's account by the transaction provider control comprises sufficient credit to allow the customer to place a telephone call of a certain duration from the particular origination location to the particular destination location.

7. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the transaction provider control comprises a database, which includes information about the customer's account.

8. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 7, wherein the transaction provider control is further configured to update the second account with information related to the money transfer transaction.

9. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the service provider comprises a service provider control in communication with the transaction provider control, the service provider control comprising a database, which includes information about the customer's account.

10. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the customer's account is maintained by the transaction provider.

11. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the customer's account is maintained by the service provider.

12. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 11, wherein crediting the customer's account with an award comprises sending a message to the service provider, the message including sufficient information to indicate the amount of the credit to be awarded to the customer's account.

13. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 12, wherein the message specifies the amount of credit to be awarded to the customer's account.

14. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 12, wherein the message includes sufficient information about the money transfer transaction to allow the service provider to determine the amount of credit to be awarded to the customer's account.

15. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 14, wherein the message comprises information about the particular destination location and the particular origination location.

16. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 11, wherein the customer's account is a first account, and wherein the convenience card is further associated with a second account maintained by the transaction provider.

17. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 16, wherein the transaction provider control is further configured to update the second account with information related to the money transfer transaction.

18. (Original) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the particular origination location and the particular destination location are the same location.

19. (Previously Presented) A system for enhancing customer loyalty in money transfer transactions as recited in claim 1, wherein the award is based on a determinant selected from the group consisting of the amount of the money transfer transaction, the origination location of the money transfer transaction, the destination location of the money transfer transaction, the timing of the money transfer transaction, an amount of a service fee associated with the money transfer transaction, and a type of money transfer transaction requested.

20. (Previously Presented) A system for enhancing customer loyalty in money transfer transactions, the system comprising:

a transaction provider control in communication with a third-party service provider;

a point of sale device in communication with the transaction provider control, wherein the point of sale device comprises a processor and a storage medium, and wherein the storage medium includes instructions executable by the processor to:

receive an identifier associated with a convenience card, wherein the convenience card is associated with an account at the service provider;
receive a request for a money transfer transaction; and
transmit the money transfer transaction request to the transaction provider control for execution;

wherein the transaction provider control comprises a second processor and a second storage medium, and wherein the second storage medium includes instructions executable by the second processor to:

receive a money transfer transaction request from the point of sale device;
receive the identifier from the point of sale device;
associate the money transfer transaction with the identifier;
return to the point of sale device stored transaction information identifying prior money transfer recipients associated with the identifier for use by the point of sale device to automatically prepare a transaction form associated with the request for the money transfer transaction; and

transmit a request to the third-party service provider to add credit to the service provider account associated with the convenience card, wherein the credit is based at least in part on the money transfer transaction.

21. (Canceled)

22. (Previously Presented) The system of claim 20, wherein the transaction provider control comprises a third storage medium, the third storage medium comprising a database including a transaction provider account associated with the convenience card, and wherein the second storage medium includes instructions executable by the second processor to update the transaction provider account with information related to the requested money transfer transaction.

23. (Previously Presented) A money transfer convenience card that can be used to facilitate a money transfer transaction through a transaction provider, wherein the money

transfer convenience card is associated with an account, such that when the money transfer convenience card is used to facilitate a money transfer transaction through the transaction provider, an award is credited to the account associated with the convenience card, the award being redeemable toward the purchase of a product from a service provider and being based at least in part on the money transfer transaction, the money transfer convenience card having stored thereon a list of recent money transfer transactions usable to initiate a subsequent money transfer transaction to a recipient identified in the list of recent money transfer transactions.

24. (Original) A money transfer convenience card as recited in claim 23, wherein the service provider is a telecommunication service provider, and wherein the certain amount of credit can be used toward the purchase of a telecommunication service.

25. (Original) A money transfer convenience card as recited in claim 24, wherein the telecommunication service is telephone service, wherein the money transfer transaction has a certain origination location and a certain destination location, and wherein the award is sufficient to allow a telephone call of a certain duration between the certain origination location and the certain destination location.

26. (Previously Presented) A money transfer convenience card as recited in claim 23, wherein the award is based on a determinant selected from the group consisting of the amount of the money transfer transaction, the origination location of the money transfer transaction, the destination location of the money transfer transaction, the timing of the money transfer transaction, an amount of a service fee associated with the money transfer transaction, and a type of money transfer transaction requested.

27. (Original) A money transfer convenience card as recited in claim 23, wherein the account is maintained by the transaction provider.

28. (Original) A money transfer convenience card as recited in claim 23, wherein the account is maintained by the service provider.

29. (Original) A money transfer convenience card as recited in claim 28, wherein the customer's account is a first account, and wherein the convenience card is further associated with a second account maintained by the transaction provider.

30. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a method for enhancing customer loyalty in money transfer transactions, the method comprising:

- receiving a request from a customer to process a money transfer transaction, wherein the money transfer transaction has a certain origination location and a certain destination location;

- receiving an identifier, the identifier including sufficient identifying information to allow the customer's account to be identified;

- identifying the customer's account based on the identifying information included in the identifier;

- using stored transaction information identifying prior money transfer recipients of the customer obtained from the customer's account to automatically prepare a transaction form associated with the request to process the money transfer transaction;

- visually displaying the transaction form; and

- crediting an account with an award based at least in part upon the requested money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from a service provider.

31. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein receiving an identifier comprises receiving an identifier from a convenience card associated with the customer's account.

32. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 31, wherein receiving an identifier comprises reading an identifier from a convenience card swiped through a point of sale device.

33. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the identifier is a telephone number.

34. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the account is maintained by the transaction provider.

35. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the account is maintained by the service provider.

36. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein crediting the customer's account with an award comprises sending a message to the service provider, the message including sufficient information to indicate the amount of the credit to be awarded to the customer's account.

37. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 36, wherein the message specifies the amount of credit to be awarded to the customer's account.

38. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 36, wherein the message includes sufficient information about the money transfer transaction to allow the service provider to determine the amount of credit to be awarded to the customer's account.

39. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 38, wherein the message comprises information about the particular destination location and the particular origination location.

40. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 35, wherein the account is a first account, and wherein the convenience card is further associated with a second account maintained by the transaction provider.

41. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the service provider is a merchant, and wherein the product is a tangible good.

42. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the service provider is a telecommunication service provider and wherein the product is a telecommunication service.

43. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 42, wherein the award credited to the customer's account by the transaction provider control comprises sufficient credit to allow the customer to place a telephone call of a certain duration from the particular origination location to the particular destination location.

44. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the particular origination location and the particular destination location are the same location.

45. (Previously Presented) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, wherein the award is based on a determinant selected from the group consisting of the amount of the money transfer transaction, the origination location of the money transfer transaction, the destination location of the money transfer transaction, the timing of the money transfer transaction, an amount of a service fee associated with the money transfer transaction, and a type of money transfer transaction requested.

46. (Original) A method for enhancing customer loyalty in money transfer transactions as recited in claim 30, further comprising updating the account with information related to the money transfer transaction.

47. (Previously Presented) A method for enhancing customer loyalty in money transfer transactions, the method comprising:

receiving an identifier associated with a money-transfer convenience card, wherein the money-transfer convenience card is associated with an account at a third-party service provider;

using the identifier to obtain stored transaction information identifying prior money transfer recipients associated with the money-transfer convenience card;

automatically preparing a transaction form for a money transfer transaction using at least a portion of the stored information;

visually displaying the transaction form;

processing the money transfer transaction;

associating the money transfer transaction with the identifier; and

adding credit to the account at the third-party service provider, wherein the credit is based at least in part on the money transfer transaction.

48. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a method for enhancing customer loyalty in money transfer transactions, the method comprising:

receiving at a point of sale device an identifier from a convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account, the point of sale device being situated at a particular origination location;

receiving at the point of sale device a request from the customer to process a money transfer transaction to a particular destination location;

transmitting via a communication network the identifier and the request to process a money transfer transaction;

receiving at a transaction provider control the identifier and the request to process a money transfer transaction;

identifying the customer's account based on the identifying information included in the identifier;

returning to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction;

calculating an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money transfer transaction to the destination location; and

crediting the customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction.

49. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions, the system comprising:

a communication network, the communication network being configured to transport information relating to the money transfer services being provided by the transaction provider;

means for receiving an identifier from the convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the

customer's account with the transaction provider, the means for receiving an identifier from the convenience card being situated at a particular origination location;

means for receiving a request from the customer to process a money transfer transaction to a particular destination location;

means for transmitting via the communication network the identifier and the request to process a money transfer transaction;

means for receiving via the communication network the identifier and the request to process a money transfer transaction;

means for identifying the customer's account based on the identifying information included in the identifier;

means for returning to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction;

means for calculating an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money transfer transaction to the destination location; and

means for crediting the customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction.

50. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions, the system comprising:

a communication interface;

a processor in communication with the communication interface; and
a computer readable medium in communication with the processor, the computer readable medium comprising instructions executable by the processor to:
receive an identifier associated with an account;
receive a request to process a money transfer transaction;
use the identifier to obtain stored transaction information identifying prior money transfer recipients associated with the convenience card;
automatically prepare a transaction form for a money transfer transaction using at least a portion of the stored information;
process the money transfer transaction; and
credit the account with an award based at least in part upon the requested money transfer transaction, the award being redeemable by the customer for credit toward the purchase of a product from a service provider.

51. (Previously Presented) In a relationship between a customer, a transaction provider and a service provider, the transaction provider providing money transfer services for the customer and the customer having an account, the account being associated with a convenience card, a system for enhancing customer loyalty in money transfer transactions, the system comprising:

a communication interface;
a processor in communication with the communication interface; and
a computer readable medium in communication with the processor, the computer readable medium comprising instructions executable by the processor to:
receive from a point of sale device an identifier associated with a convenience card, the identifier including sufficient identifying information to allow the transaction provider to identify the customer's account;
receive from a point of sale device a request from the customer to process a money transfer transaction from a particular origination location to a particular destination location;

identify the customer's account based on the identifying information included in the identifier;

return to the point of sale device stored transaction information identifying prior money transfer recipients of the customer for use by the point of sale device to automatically prepare a transaction form associated with the request to process the money transfer transaction;

calculate an amount of prepaid telephone service credit sufficient to allow the customer to place a telephone call of a certain duration from the origination location to the destination location, such that the customer can call a receiving party near the destination location to inform the receiving party that the customer has placed a request to process a money transfer transaction to the destination location; and

credit the customer's account with an award, the award being equivalent to the calculated amount of prepaid telephone service credit and based at least in part on the request to process a money transfer transaction.

10. Evidence Appendix

No additional evidence is provided.

11. Related Proceedings Appendix

No additional proceedings are in process.